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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

NORTHWEST ENVIRONMENTAL DEFENSE CENTER, et al.

Plaintiffs,

v.

U.S. ARMY CORPS OF ENGINEERS, et al.

Defendants,

and

CITY OF SALEM and MARION COUNTY,

Defendant-Intervenors.

Case No.: 3:18-cv-00437-HZ

SECOND DECLARATION OF SEAN ASKELSON

I, Sean Askelson, declare and state as follows:

1. I work for the U.S. Army Corps of Engineers ("Corps"), Portland District, Engineering and Construction Division as the Chief, Hydraulics and Hydrology Branch. I have been in this position since March 2019. I am responsible for supervising all activities of the Hydraulics and Hydrology Branch. Among other sections, I supervise and coordinate, through the section chief, the activities of the Dam and Levee Safety Section. The Dam and Levee Safety Section is responsible for performing dam and levee safety inspections and management of the District's dam and levee safety, including for the 13 dams comprising the Willamette Valley Project.

2. Dr. Tullos inquired whether the Corps has records of the conditions of the regulating outlets ("ROs") at Detroit, Cougar, Lookout Point, and Fall Creek dams and whether inspection reports for the gates can be made available. The Corps identified the following documents regarding the conditions of the ROs at the named projects:

a. Detroit Dam (3 documents):

i. 2016 Periodic Inspection Report. This document contains excerpts pertaining to the ROs from a periodic inspection report for Detroit Dam. It provides background and a summary of the condition of the ROs, spillway components, and stilling basin at the time of the inspection. It includes photos and drawings of operational components.

ii. 2017 Regulating Outlet Gate Assessments Appendix D – Detroit. This document contains photos and drawings of structural, mechanical, and electrical components (including complete schematics of the mechanical and electrical systems) of the ROs, identifies fracture critical elements, describes operational use, and provides an assessment of the condition at the time of the report. It also

includes consideration of failure modes and impacts of failure on downstream flooding and other Corps missions.

iii. 2020 Upper RO Inspection Trip Report. This document summarizes observations from inspection of the upper ROs. It includes photos of gates and conduits and describes primary dam safety concerns.

b. Cougar Dam (3 documents):

i. 2012 RO Stilling Basin Inspection Report. This document summarizes the condition of the stilling basin as of the date of the report and includes images.

ii. 2017 Periodic Inspection Report. This document contains excerpts pertaining to the RO from a periodic inspection report for Cougar Dam. It provides background and a summary of the condition of the RO, spillway components, and stilling basin at the time of the inspection.

iii. 2018 RO Inspection Trip Report. This document summarizes observations from inspection of the RO. It describes the condition of the RO conduits, bulkhead, and service and emergency gates and provides recommendations for maintenance actions. It includes photos of RO components.

c. Lookout Point Dam (3 documents):

i. 2017 Regulating Outlet Gate Assessments Appendix I – Lookout Point. This document contains photos and drawings of structural, mechanical, and electrical components (including complete schematics of the mechanical and electrical systems) of the ROs, identifies fracture critical elements, describes operational use, and provides an assessment of the condition at the time of the

report. It also includes consideration of failure modes and impacts of failure on downstream flooding and other Corps missions.

ii. 2019 RO Inspection Trip Report. This document summarizes observations from inspection of the ROs. It describes the condition of the RO conduits, bulkhead, and service and emergency gates and provides recommendations for maintenance actions. It includes photos of RO components.

iii. 2019 Periodic Inspection Report. This document contains excerpts pertaining to the ROs from a periodic inspection report for Lookout Point Dam. It provides background and a summary of the condition of the ROs and spillway components at the time of the inspection. It includes photos and drawings of operational components. It also describes remote operations from the powerhouse.

d. Fall Creek Dam (2 documents):

i. 2019 RO and Stilling Basin Inspection Trip Report. This document summarizes observations from inspection of the ROs and stilling basin. It describes the condition of the ROs and stilling basin and provides recommendations for maintenance actions. It includes photos and drawings of ROs and spillway components.

ii. 2019 Periodic Inspection Report. This document contains excepts pertaining to the ROs from a periodic inspection report for Fall Creek Dam. It provides background and a summary of the condition of the ROs and spillway components at the time of the inspection. It includes photos and drawings of RO and spillway components.

3. The Corps does not make the identified reports available to the public because they contain sensitive information about critical infrastructure. The reports include detailed descriptions,

drawings, and photos of the Corps' dams and their components, including the ROs, spillways, and stilling basins, their capabilities, reliability, and vulnerabilities (including failure modes), and the consequences of system failure. Aggregated with other information, the information contained in these reports could potentially be exploited by malignant actors to disrupt operation of the system or cause partial or complete system failure. If successful, such action could cause substantial life and property loss in downstream communities due to flooding and result in significant impacts to populations that rely upon the continued operation of the Willamette Valley Project for flood risk mitigation, water supply, and power supply.

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 3, 2021 in Portland, Oregon.

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Sean Askelson